

**REPORT/RECOMMENDATION TO THE BOARD OF SUPERVISORS
OF SAN BERNARDINO COUNTY, CALIFORNIA
AND RECORD OF ACTION**

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August 5, 2003

FROM: KEN A. MILLER, Director
Department of Public Works – **Solid Waste Management Division**

SUBJECT: AMENDMENT NO. 1 TO CONTRACT NO. 01-683 WITH BRYAN A. STIRRAT & ASSOCIATES

RECOMMENDATION: Approve Amendment No. 1 to Contract No. 01-683 with Bryan A. Stirrat & Associates (BAS) in the amount of \$120,164 from \$1,725,475 to \$1,845,639 to provide additional construction management and quality assurance through December 31, 2003 for the Victorville Sanitary Landfill Gas Extraction System and Flare Station.

BACKGROUND INFORMATION: Code of Federal Regulation, 40 CFR 60, Subpart WWW, Standards of Performance for Municipal Solid Waste Landfills, Section 60.752 which was adopted by the Mojave Desert Air Quality Management District (MDAQMD), requires owners and operators of Municipal Solid Waste Landfills having a design capacity equal to or greater than 2.5 million cubic meters and 2.5 million megagrams, with Non-Methane Organics Compounds (NMOC) emission rate equal to or exceeding a threshold of 50 megagrams per year, to install a landfill gas (LFG) collection and control system in compliance with Section 60.752 of 40 CFR 60, Subpart WWW. The LFG collection and control system must be installed by October 31, 2003 in order to avoid any violations.

On June 26, 2001, the Board of Supervisors approved Contract No. 01-683 4 with Bryan A. Stirrat & Associates, Inc. (BAS) in the amount of \$1,725,475 to perform professional services for various landfill sites. This contract's scope of work included a proposal from BAS for the Design, Specifications and limited construction management and quality assurance of a gas extraction system and flare station for the Victorville sanitary landfill project. At the time, it was the intent of the Solid Waste Management Division (SWMD) to supplement the construction administration/management supplied by BAS with Division staff. Due to current workloads, the SWMD currently does not have staff that can be utilized at the project site to do this work. Full time construction management and quality assurance of the project is necessary to ensure that the contractor is installing the gas extraction system as per the plans and specifications for the project.

On December 3, 2002 the Board approved the project plans and specifications and authorized advertising for bids. On March 25, 2003 the Board awarded a contract for the construction of the system to Shaw Environmental Inc., in the amount of \$1,087,365.18. Because of the October 31st deadline, construction of the project has already begun utilizing BAS' construction management and quality assurance services previously approved in the June 26, 2001 board item. Funds are expected to be sufficient to provide these services through the end of August.

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Approval of Amendment No. 1 will allow BAS to provide full time construction management and quality assurance for this project through December 31, 2003. Though the LFG collection and control system is required to be installed by October 31, 2003, the December 31 contract date will allow BAS to monitor the system during the 2-month start up and test phase. SWMD staff has reviewed BAS' cost proposal and has determined the amount to be fair and reasonable based on similar work completed by BAS in relation to this project.

REVIEW BY OTHERS: This item was reviewed by Deputy County Counsel Robert L. Jocks on July 24, 2003, and County Administrative Office (Tom Forster, Administrative Analyst) on July 25, 2003.

FINANCIAL IMPACT: Appropriations for the cost of this action in the amount of \$120,164 are available in SWMD's FY 2003-04 budget - Fund: EAL Dept: SWM Org: SWM Appr: 410 Obj: 4010

COST REDUCTION REVIEW: The County Administrative Office has reviewed this agenda item and concurs with the Department's proposal and recommends this action based on the following: The Code of Federal Regulations has mandated the installation of the Landfill Gas Extraction System by October 31, 2003. Non-compliance with these regulations could subject the County to severe penalties and fines. Effective full time construction management will ensure that the project will be completed on time and in compliance with the requirements of the Federal Regulations.

SUPERVISORAL DISTRICT: 1st

PRESENTER: Peter H. Wulfman, 386-8703.